Shipping Act (17 & 18 Vict., chap. 104)[1], and Schedule S of that Act are and shall be applicable to all steam-vessels proceeding to sea from any port or place in the Presidency of Bombay or its Dependencies, and that, in calculating the penalties mentioned in the said section 293, ten rupees be taken as the equivalent for one pound sterling.

Shipping Act, 1854, applied to steam-vessels proceeding to sea from ports in Bombay.

16, 17.—[*Trial of offences ; Recovery of penalties and fees ; Interpretation.*] *Rep. Act VI of 1884.*

SCHEDULES A AND B.
(*Form of Certificate ; Fees*).
[*Rep. Act VI of 1884.*]

BOMBAY ACT No. I OF 1865.[2]

[*21st January, 1865.*]

An Act to provide for the survey, demarcation, assessment and administration of lands held under Government, in the districts belonging to the Bombay Presidency, and for the registration of the rights and interests of the occupants of the same.

PREAMBLE. [*Rep., locally, Bom. Act V of 1879.*]

1 to 36. [*Rep., locally, Bom. Act V of 1879.*]

[3] **37.** Whenever, in the Ratnagiri collectorate and in the Raigarh, Rájpurí and Sanksí táluqás of the Táná collectorate, the survey-settlement is introduced into villages or estates held by Khots, it shall be competent for the Superintendent of Survey or Settlement-officer, with the sanction of the Governor in Council, to grant the Khot a lease for the full period for which the

Leases for period for which settlement guaranteed may be granted to Khots in Ratnagiri

[1] *See* now the Merchant Shipping Act, 1894 (57 & 58 Vict., cap. 60), Collection of Statutes relating to India, Ed. 1901, Vol. II, p. 971.

[2] For Statement of Objects and Reasons, *see* Bombay Government Gazette, 1864, Supplement, p. 285 ; for Report of the Select Committee, *see ibid*, p. 364 ; and for Proceedings in Council, *see ibid*, pp. 268, 554, 568 and 624.

Bom. Act 1 of 1865 has been declared, by notification under the Scheduled Districts Act, 1874 (14 of 1874), General Acts, Ed. 1898, Vol. II, p. 467, to be in force in the districts of Thar and Parkar and the Upper Sindh Frontier, *see* Appendix to Vol. I of this Code, p. 331.

It was declared applicable to towns and cities by Bom. Act 4 of 1868, which, however, has been repealed by the Bombay Land-revenue Code, 1879 (Bom. Act 5 of 1879), *infra*, p. 631, in areas in which that Code is in force.

Bom. Act 1 of 1875 repealed, locally, by the Bombay Land-revenue Code, 1879 (Bom. Act 5 of 1879), *infra*, p. 631, is to be read with and taken and construed as part of Bom. Act 1 of 1865—*see* s. 3 of the Act of 1875. That Act has not however been republished in this Code.

[3] Ss. 37 and 38 of Bom. Act 1 of 1865 are repealed so far as they apply to any village in the Ratnagiri or the Kolaba District to which the Khoti Settlement Act, 1880 (Bom. Act 1 of 1880) extends or is extended—*see* s. 2 of the latter Act, *infra*, p. 776.

and in certain tálukás of the Thána collectorate.

settlement may be guaranteed, in place of the annual agreements under which such villages have hitherto been held, and, further, the provisions of [1] section 36 in respect to the right of permanent occupancy at the expiration of a settlement-lease shall hold good in regard to those villages or estates.

Power to fix demands of Khot on tenant at time of survey.

[2] 38. It shall also be competent to such officer, with the sanction of the Governor in Council, to fix the demands of the Khot on the tenant at the time of the general survey of a district, and the terms thus fixed shall hold good for the period for which the settlement may be sanctioned.

Proviso.

But this limitation of demand on the tenant shall not confer on him any right of transfer by sale, mortgage or otherwise, where such did not exist before, and shall not affect the right of the Khot to the reversion of all lands resigned by his tenant during the currency of the general lease.

39 to 51. [*Rep., locally, Bom. Act V of 1879.*]

BOMBAY ACT No. III OF 1865[3].

[*31st July, 1865.*]

An Act to amend [4]Act XXI of 1848 (*for avoiding Wagers*).

Preamble.

WHEREAS it is expedient, so far as regards the Presidency of Bombay, to amend Act XXI of 1848 [4] (*for avoiding wagers*); It is enacted as follows:—

Contracts declared null and void.

1. All contracts, whether by speaking, writing or otherwise, knowingly made to further or assist the entering into, effecting or carrying out agreements by way of gaming or wagering, and all contracts by way of security or guarantee for the performance of such agreements or contracts, shall be null and void; and no suit shall be allowed in any Court of Justice for recovering any sum of money paid or payable in respect of any such contract or contracts, or any such agreement or agreements as aforesaid.

No suit allowed on such contracts.

Nor for commission or brokerage,

2. No suit shall be allowed in any Court of Justice for recovering any commission, brokerage, fee or reward in respect of the knowingly effecting or

---

[1] S. 36 was repealed (locally) by the Bombay Land-revenue Code, 1879 (Bom. Act 5 of 1879), *infra*, p. 631.

[2] *See* the third footnote on p. 451 *supra*.

[3] For Statement of Objects and Reasons, *see* Bombay Government Gazette, 1863, Supplement, p. 420; for Report of the Select Committee, *see ibid*, p. 485; and for Proceedings in Council, *see ibid*, pp. 407, 452, 525 and *ibid*, 1864, pp. 407 and 507.

Bom. Act 3 of 1865 is void so far as it purports to affect the High Court. It has been declared, by notification under the Scheduled Districts Act, 1874 (14 of 1874), General Acts, Ed. 1898, Vol. II, p. 467, to be in force in the Province of Sindh, *see* Appendix to Vol. I of this Code, p. 331.

[4] Act 21 of 1848 was repealed by the Indian Contract Act, 1872 (9 of 1872), s. 1, but see the saving in that section. For Act 9 of 1872, *see* the reprint as modified up to 30th June, 1901.